UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
CHANG, SUNRAY

ART UNIT	PAPER NUMBER
2121	

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/914,602	CUI ET AL.
		Examiner	Art Unit
		Sunray Chang	2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 December 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-27</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-27</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>20051209, 20060106</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in responsive to the paper filed on December 1st, 2005.

Claims 1 – 27 are presented for examination.

Claims 1 – 27 are rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   **Claims 1 – 27 are rejected** under 35 U.S.C. 102(e) as being anticipated by Kenneth W. Kisiel (U.S. Patent No. 6,327,586, and referred to as **Kisiel** hereinafter).

Regarding independent claims 1, 7, 10 – 12, 19 and 25, Kisiel teaches,

- Data visualization system [automated system] for use in storing [collecting data] and visualizing data [visualizing data] generated during use of one or more process management systems in managing process [variety of source]. [Col. 3, Lines 30 – 34]

- A request input for receiving a data visualization service request from a process management system. [Col. 4, Lines 10 – 12]

- A data input for receiving data inputs [extract] from the process management system research project]. [Col. 4, Lines 25 – 37]

- A service definitions store for storing [saved] a set of data visualization service definitions. [Col. 4, Lines 33 – 37]

- Data visualization service definitions define service requirements related to [extract relevant] a set of data visualization service identifiers. [Col. 4, Lines 25 – 27]

- Data visualization service definitions include identification of data input [specify items of interest] required for provision of data visualization services in each data visualization service identifiers [Personal Dictionary]. [Col. 8, Lines 13 – 18]

- Data visualization service request processing means for accessing [extract relevant] a service identifier in a received data visualization service request. [Col. 4, Lines 25 – 27]

- Service identifier processing means for selecting [extract relevant] a service definition from the service definition store [recorded] in accordance with an accessed service identifier. [Col. 4, Lines 25 – 28]

- A data input store for storing data inputs [requirements] from the process management system required for provision of a data visualization service associated with an accessed data visualization service identifier. [Col. 4, Lines 25 – 28]

- Means to associate [directs] data inputs received [information] from a process management system with the system. [Col. 4, Lines 25 – 28]

- Means to review [filters] the contents of data input store for entries [information] in respect

  of that process management system. [Col. 4, Lines 25 – 28]

Regarding dependent claims 2, 13 and 20,

- A visualization tool store stores a set of visualization tools [several valuable tools]. [Col. 5,

  Lines 28 – 33]

Regarding dependent claims 3, 14 and 21,

- One of the service definitions defines a data storage device [Personal Dictionary] in which

  data inputs of one or more types are stored in the data input store [Personal Dictionary]. [Col.

  8, Lines 13 – 18]

Regarding dependent claims 4, 15 and 22,

- Mapping [compared, related] data inputs [information] identified by a first service

  [requirement phase] definition to data inputs [requirements] already stored in accordance

  with a second service definition [analysis phase]. [Col. 4, Lines 63 – 66]

Regarding dependent claims 5, 16 and 23,

- A visualization tool input for loading visualization tools [provides tools] to the visualization

  tool store, the store being provided with an index [category] of tools currently loaded. [Col.

  13, Lines 24 – 31, and Fig. 33, 34]

Regarding dependent claims 6, 18 and 24,

- A data analysis [filter out relevant data] means. [Col. 4, Line 63]

Regarding dependent claims 8 and 26,

- First service definition defines a data storage service [Personal Dictionary] and a second

  stored service definition identifies data inputs [items of interest] stored in accordance with

  the data storage service. [Col. 8, Lines 13 – 23]

Regarding dependent claims 9 and 27,

- Loading one or more service definitions [relevant information] to the service definition store,

  subsequent to receiving data inputs [extract] from the process management system, [Col. 4,

  Lines 25 – 28]

- Subsequently loaded service definitions identifying [defined item of interest] at least one of

  said data inputs previously received. [Col. 8, Lines 38 – 40]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459

(1966), that are applied for establishing a background for determining obviousness under 35

U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. **Claim 17 is rejected** under 35 U.S.C. 103(a) as being unpatentable over **Kisiel**, and in

view of Peter A. Sharples (U.S. Patent No. 6,240,450, and referred to as **Sharples** hereinafter).

(**Kisiel** as set forth above generally discloses the basic inventions.)

Regarding dependent claim 17,

Kisiel teaches a visualization tool store stores a set of visualization tools [several

valuable tools, Col. 5, Lines 28 – 33].

Kisiel does not teach means to associate data inputs received from a process management

system with the process management system which generated the data, together with means

to review the contents of the data input store for entries in respect of that process

management system.

Sharples teaches means to associate data inputs received from a process management

system with the process management system which generated the data, together with means

to review the contents of the data input store for entries in respect of that process

management system. [authentication, Col. 2, Lines 50 – 67], for the purpose of

authenticating.

It would have been obvious to a person of ordinary skill in the art at the time of

applicant's invention to modify the teaching of **Kisiel** to include the teaching from **Sharples**,

"means to associate data inputs received from a process management system with the process

management system which generated the data, together with means to review the contents of the

data input store for entries in respect of that process management system", for the purpose of

authenticating.

Response to Amendment

Claim Rejections - 35 USC § 112

4.   Applicants overcome the forth 35 USC 112 rejection, the examiner has withdrawn

the 35 USC 112 rejection.

Claim Rejections - 35 USC § 102

5.   Applicants' argument regarding **Kisiel** does not teach "service definitions store

for storing a set of data visualization service definitions each comprising one or more service

requirements in relation to respective ones of a set of data visualization service identifier,

including identification of data inputs required for the provision of data" is disagreed with.

Kisiel teaches a service definition store for storing [extract relevant information] a set of data

visualization service definition [recorded requirements], service requirements [recorded

requirements] in relation to respective ones of a set of data visualization service identifier [to ensure that the retrieved items contain relevant pieces of information]. [see Col. 4, Lines 25 – 37] **Kisiel** further teaches the retrieved items that are determined to be relevant, are automatically saved into a repository associated with the research project. The items that are saved in the repository are tagged with descriptive user created pointers to facilitate future retrieval of those items. [Col. 4, Lines 33 – 37]

6.   The applicants further argue "there is no suggestion that pointers might include identification of data inputs required for the provision of data". The term, "service identifier", has been defined in claim 1 as "service identifier processing means for selecting a service definition from the service definition store", **Kisiel** teaches "the items ... are tagged with ... pointers ... for future retrieval of those items" [Col. 4, Lines 34 – 37]. In this point of view, it is very clear that **Kisiel** teaches a selection of data inputs required for provision of data.

7.   **Kisiel** teaches an automated system and methodfor defining visualizing data and generating reports based on data from a variety of sources. [Col. 3, Lines 29 – 33], further teaches a variety of sources include Internet, other database, scanner, word processors... each source can be treated as a process management system.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sunray Chang whose telephone number is (571) 272-3682. The

examiner can normally be reached on M-F 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Anthony Knight can be reached on (571) 272-3687. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-746-3506.

Sunray Chang
Patent Examiner
Group Art Unit 2121
Technology Center 2100
U.S. Patent and Trademark Office

January 18, 2006

Anthony Knight
.upervisory Patent Examiner
Group 3600